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STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3737th meeting of the Security Council, held on 31 January 1997 in connection with the Council's consideration of the item entitled "The situation in Croatia", the President of the Security Council made the following statement on behalf of the Council.

"The Security Council has considered the letter of the Secretary-General of 21 January 1997 (S/1997/62) concerning development with respect to the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES), and welcomes his evaluation.

"The Security Council welcomes the letter of 13 January 1997 (S/1997/27, annex) from the Government of Croatia on the completion of the peaceful reintegration of the region under the Transitional Administration, which guarantees the local Serb community representation and a voice at various levels of local, regional and national government, provides for a limited deferment of military service, and affirms the intention of the Government of Croatia to provide the local Serb population with the protection of their legal and civil rights under Croatian law. The Council calls upon the Government of Croatia to implement fully the commitments contained in that letter and the oral guarantees made by Croatian officials to UNTAES as specified in the letter of the Secretary-General of 21 January 1997 (S/1997/62).

"The Security Council also notes the letter of the local Serb Executive Council and Regional Assembly on this matter of 16 January 1997 (S/1997/64, annex).

"The Security Council recalls the statement of its President of 15 August 1996 (S/PRST/1996/35) and again underlines the importance of the holding of elections, the organization of which is the responsibility of UNTAES, in accordance with the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (S/1995/951, annex) signed on 12 November 1995 (the Basic Agreement). The Council shares the view of the Transitional Administrator that the rights and guarantees outlined in the letter from the Government of Croatia, if fully implemented, constitute a

solid basis for the holding of elections simultaneously with nationwide elections in Croatia, and offer substantial progress towards the completion of the process of peaceful reintegration of the region. In this context, the Council emphasizes that the holding and certification of elections, upon a decision by the Transitional Administration, within the envisaged time-frame will only be possible if the Croatian authorities fulfil their obligations with respect to the completion of the issuance of citizenship and identity documents for all eligible voters and relevant technical documents, and provide all information as required by UNTAES for certification of the elections. The Council underlines the need for full cooperation by the local Serbs.

"The Security Council reiterates the importance of confidence-building measures which could benefit residents of the region beyond the expiration of the mandate of UNTAES. In this regard, it encourages the Croatian authorities to maintain the present demilitarized status of the region.

"The Security Council reaffirms the importance of effectively implementing the rights of all residents in the region to equal treatment with respect to housing, access to reconstruction grants and loans, and to property compensation, as guaranteed by Croatian law. It reiterates the right of all refugees and displaced persons to return to their places of origin. It also reiterates the right of residents of a State to choose freely where they wish to live. The upholding of these principles is of vital importance for the stability of the region. In this connection, it strongly encourages the Government of Croatia to reaffirm its obligations under the provisions of the Croatian Constitution, Croatian law, and the Basic Agreement, to treat all its citizens equally regardless of their ethnicity.

"The Security Council stresses that the restoration of the multi-ethnic character of Eastern Slavonia is important to international efforts to maintain peace and stability in the region of former Yugoslavia as a whole. The Council encourages the Croatian Government to take such steps as are needed to promote goodwill, build confidence, and provide assurances of a safe, secure and stable environment to all people in the region. These steps should include full implementation of its Law on Amnesty, full cooperation with the International Tribunal for the Former Yugoslavia, improved cooperation with respect to local Serbs who wish to return to other areas of Croatia, full compliance with the Basic Agreement, and full cooperation with UNTAES and other international organizations. The Council welcomes the commitments by the Government of Croatia with regard to the establishment of a Joint Council of Municipalities, Council of the Serb ethnic community, and with respect to educational and cultural autonomy of the Serb population and other minorities in the region. The Council notes the reassurances of the Croatian authorities that applications for a second period of deferment of military service for local Serbs will be considered in a positive manner.

"The Security Council condemns the incident that occurred at Vukovar on 31 January 1997 and that resulted in the death of an UNTAES peacekeeper and injuries to other UNTAES personnel.

"The Security Council calls upon both sides to cooperate in good faith on the basis of the Basic Agreement. It also calls upon them to continue to cooperate with the Transitional Administrator and with UNTAES in order to ensure the success of the process of reintegration. It calls upon the international community to support fully this endeavour.

"The Security Council expresses its appreciation to the Transitional Administrator and his staff, and reaffirms its full support for them.

"The Security Council will remain actively seized of the matter."